

## Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 AID-05 PC-01 CIAE-00 DODE-00 PM-03 H-01

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FM AMEMBASSY MANAGUA

TO SECSTATE WASHDC 6073

INFO AMEMBASSY SAN SALVADOR

AMEMBASSY SAN JOSE

AMEMBASSY TEGUCIGALPA

AMEMBASSY GUATEMALA

USIA WASHDC

USCINCSO

C O N F I D E N T I A L MANAGUA 0335

USIA FOR ILA

USCINCSO FPR POLAD

E. O. 11652: GDS

TAGS: PINS, NU

SUBJECT: UDEL RESPONDS TO CHARGES AGAINST CHAMORRO

REF: MANAGUA 0283

SUMMARY: UDEL LEADER PEDRO JOAQUIN CHAMORRO AND OTHER LEADERS HAVE OPENLY CHALLENGED THE GON THREAT TO TRY CHAMORRO BEFORE A MILITARY COURT. CHAMORRO'S LAWYER BELIEVES THAT SOMOZA IS NOT INTERESTED IN TRYING CHAMORRO, BUT ONLY IN HARASSING HIM AND THAT THE CASE WILL NOT PROCEED MUCH FARTHER.

1. ON JANUARY 20, THE CONSULTATIVE ASSEMBLY OF THE DEMOCRATIC UNION OF LIBERATION (UDEL) ISSUED A MIMEOGRAPHED MANIFESTO WHICH FULLY ASSOCIATES ITS 22 MEMBERS WITH THE ORIGINAL UDEL MANIFESTO SIGNED BY THE ORGANIZATION'S EXECUTIVE COUNCIL FOR WHICH ITS PRESIDENT,  
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PEDRO JOAQUIN CHAMORRO, HAS BEEN THREATENED WITH MILITARY JUSTICE. THE MESSAGE ACCUSED THE GON BY ITS THREAT TO CHAMORRO OF HAVING NO OTHER SOLUTION TO THE ILLS OF THE COUNTRY EXCEPT ARBITRARINESS AND REPRESSION. IT SPECIFICALLY CALLED FOR THE TERMINATION OF MARTIAL LAW, A POSITION IN THE ORIGINAL MANIFESTO WHICH HAD BEEN SINGLED OUT WHEN CHAMORRO'S CASE WAS REFERRED BY THE POLICE COURT TO THE MILITARY TRIBUNAL (REFTEL). UDEL LEADERS HAVE TOLD EMBOFFS THAT THE DOCUMENT IS SPECIFICALLY DESIGNED TO FORCE GON'S HAND AGAINST CHAMORRO, CHALLENGING IT EITHER TO PROSECUTE ALL THOSE SIGNING MANIFESTOS WHICH ARE SIMILAR IN CONTENT AND MODE OF DISTRIBUTION OR PROSECUTE NONE.

2. CHAMORRO HIMSELF TEMPTED FATE AGAIN WITH AN OPEN LETTER (OPEN TO THE EXTENT THAT IT WAS REPRODUCED AND WIDELY DISTRIBUTED BY HAND) TO SOMOZA IN WHICH HE CLAIMED THE GON'S CAMPAIGN TO LINK THE FSLN TERRORISTS WITH THE LEGITIMATE OPPOSITION WERE MAKING SOMOZA AN INTERNATIONAL LAUGHING STOCK. CHAMORRO CHARGED THAT FIDEL CASTRO WAS EXPLOITING THE LACK OF SYMPATHY THAT SOMOZA ENJOYED ON THE CONTINENT AND WAS ABLE TO PARADE THE SANDINISTAS AROUND ON CUBAN MEDIA WITHOUT REGARD TO HIS WARMING RELATIONS WITH OTHER LATIN AMERICAN COUNTRIES. ALLEGING THAT SOMOZA WAS SURROUNDED BY YEA-SAYERS WHO WOULD NOT TELL HIM THE TRUTH ABOUT HIS DOMESTIC AND INTERNATIONAL PUBLIC IMAGE, CHAMORRO ASKED SOMOZA TO REMEMBER THAT "NICARAGUA IS OURS AS WELL" AND CONCLUDED BY DECLARING THAT HE AWAITED "THE BLOW THAT SOMOZA HAD PLANNED FOR HIM WITH TRANQUIL CONSCIENCE AND A PEACEFUL SOUL."

3. CHAMORRO'S LAWYER, ROBERT ARGUELLO HURTADO, TOLD POLOFFS JANUARY 21 THAT HE SAW HIS CLIENT'S POSITION IN A MUCH LESS MELO-DRAMATIC LIGHT. ARGUELLO SAID HE HAD SEARCHED ASSIDUOUSLY FOR A LAW UNDER WHICH CHAMORRO MIGHT BE CHARGED BEFORE A MILITARY TRIBUNAL, BUT COULD FIND ONLY MISDEMEANORS (HE SPECIFICALLY MENTIONED CIRCULATING A PUBLICATION WITHOUT PREVIOUS AUTHORIZATION BY THE CENSOR DURING A STATE OF SIEGE) WHICH WOULD MAKE THE GON APPEAR RIDICULOUS IF IT TRIED TO PROSECUTE. HE CONSIDERED THE ALLEGATION BY THE PRESIDENTIAL PRESS OFFICE THAT CHAMORRO AND FRANCISCO LAINEZ' COMMENTARIES DURING NOVEMBER AND DECEMBER DEMONSTRATED THAT THEY WERE "CONSPIRATORS IN TERRORISM" WITH THE FSLN AS ABSURD ON THE FACE AND WAS TOYING WITH THE IDEA OF CHARGING THOSE RESPONSIBLE UNDER THE "INJURY AND CALUMNY"

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PROVISIONS OF PENAL CODE WHICH HAD BEEN USED BY THE GON AGAINST CHAMORRO IN THE AMADA PINEDA CASE. HE WAS CONVINCED, THEREFORE, THAT SOMOZA WAS MERELY PLAYING A GAME WITH CHAMORRO, HOLDING OUT THE THREAT OF UNSPECIFIED CHARGES AS A MEANS TO HARASS AND INTIMIDATE. HE PREDICTED THAT THE "CASE" WOULD STILL BE UNDER STUDY AT THE MILITARY JUDICIAL INVESTIGATIVE LEVEL WHEN THE STATE OF SIEGE TERMINATED. IF THIS WERE INDEED SOMOZA'S PLAN, HE SAID, SOMOZA HAD MISREAD THE SITUATION SINCE CHAMORRO WAS NO LONGER

AN ISOLATED INDIVIDUAL WHO COULD BE COWED EASILY BUT THE LEADER  
OF A POLITICAL MOVEMENT WITH A WILL OF ITS OWN.

4. COMMENT: WHAT MAY HAVE APPEARED AT FIRST TO BE THE  
BEGINNINGS OF AN INEXORABLE MARCH TOWARD A POLITICAL CONFRONTATION  
MAY PETER OUT INTO JUST ANOTHER SKIRMISH BETWEEN TWO TRADITIONAL  
ANTAGONISTS.  
SHELTON

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